

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARGARITA E. LaVILLA,	:	
Plaintiff,	:	Civil Action 2:08-cv-1180
v.	:	Judge Frost
SECRETARY OF DEFENSE, ROBERT M. GATES,	:	Magistrate Judge Preston Deavers
Defendant.	:	

ORDER

This matter is before the Court pursuant to the April 7, 2010 Report and Recommendation of the Magistrate Judge (Doc. 7). The Report and Recommendation of the Magistrate Judge specifically advised parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation.” (Report & Recommendation (Doc. 7.) The time period for filing of objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed thereto and that the time for filing such objections has expired, the Court hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge.

It is hereby **ORDERED** that the Complaint is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** dismissing this case.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST, JUDGE
UNITED STATES DISTRICT COURT